REMARKS

I. Introduction/IDS

With the cancellation of claim 9, claims 6 to 8, 10 and 11 are currently pending. Claims 6, 10 and 11 have been amended. The amendments to the claims do not present new matter. In view of the foregoing amendments and the following remarks, it is respectfully submitted that all of the presently pending claims are allowable, and reconsideration is respectfully requested.

With respect to the Examiner's assertion that the information disclosure statement filed on January 22, 2001 fails to comply with 37 CFR 1.98(a)(3) because it does not include a concise explanation of the relevance of the foreign-language references, it is noted that the "Notice of Acceptance of the Application Under 35 U.S.C. 371" indicates that the Patent Office had received a copy of the International Search Report of the International Application PCT/DE99/02221 upon which the present application is based. MPEP §609(III)(A)(3) indicates that the requirement of a concise explanation can be fulfilled by submission of the search report if the report indicates the degree of relevance of the reference such as by an "X", "Y" or "A". It is noted that the international search report of November 26, 1999 provides an "X" indication for three of the four foreign language references listed (DE 42 19 669, EP 0 392 411, and DE 44 01 785). For the remaining foreign language reference listed on the IDS, i.e., EP 0 307 344, an English-language Abstract is provided herewith.

II. Rejection of claims 6-11 Under 35 U.S.C. § 112, second paragraph

Claims 6-11 have been rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as the invention. In particular, the Office Action asserts that it is not clear as to whether both the central computer and local computers can be computers such as desktop and laptop (notebook) computer machines connected to each other, or if they can be simple processors in charge of subsystems within a vehicle.

Applicants initially note that claims must be read in light of the specification of which they are a part, and that the second paragraph of 35 U.S.C. § 112 merely requires that "the claims set out and circumscribe a particular subject matter with a reasonable degree of clarity and particularity." M.P.E.P. § 2173.02 (emphasis added). It is submitted that the claims, when read in light of the specification, provide a reasonable degree of clarity with regard to the central and local computers, which are certainly not limited to desktop and/or laptop

implementations and can be embodied as processors (whether "simple" or more complex) and/or electronic control units within the vehicle. For example, the specification provides sufficient guidance for those of ordinary skill in the art with respect to this issue in the following passage:

> Figure 1 shows a first embodiment of an automotive controller according to the present invention. In controller 10, a *central computer 11 located in or near the dashboard, for example,* exchanges control data via a common data bus 15 with individual local computers 19 and 22, each being assigned to load 20 or 23 within a load module 18 or 21. Load module 18 may be, for example, a power window module, and load module 21 may be a seat adjuster. *Computers 11, 19 and 22 are each connected to databus 15 by connecting lines 14, 16 and 17.*

(Specification, page 4, lines 21-28)(emphasis added).

As can be discerned from the above-quoted passage, the central computer can be located in the dashboard and the individual local computers are assigned to individual loads within a load module, such as a seat adjuster. It is thus clear that the central computer and the local computers may be implemented as processors and/or electronic control units within the vehicle.

It is therefore submitted that claims 6-11 comply with 35 U.S.C. § 112, second paragraph. Withdrawal of the indefiniteness rejection of claims 6-11 is accordingly respectfully requested.

III. Rejection of Claims 6 and 7 Under 35 U.S.C. § 103(a)

Claims 6 and 7 have been rejected under 35 U.S.C. 103(a) as unpatentable over U.S. Patent No. 5,091,856 to Hasegawa et al. ("Hasegawa") in view of RFC 791 "Internet Protocol" (hereinafter "RFC 791"). Applicants respectfully submit that the applied references do not render obvious the subject matter of claims 6 and 7 for the following reasons.

In rejecting a claim under 35 U.S.C. § 103(a), the Examiner bears the initial burden of presenting a prima facie case of obviousness. In re Rijckaert, 9 F.3d 1531, 1532, 28 U.S.P.Q.2d 1955, 1956 (Fed. Cir. 1993). To establish prima facie obviousness, three criteria must be satisfied. First, there must be some suggestion or motivation to modify or combine reference teachings. In re Fine, 837 F.2d 1071, 5 U.S.P.Q.2d 1596 (Fed. Cir. 1988). This teaching or suggestion to make the claimed combination must be found in the prior art and not based on the application disclosure. In re Vaeck, 947 F.2d 488, 20 U.S.P.Q.2d 1438 (Fed.

Cir. 1991). Second, there must be a reasonable expectation of success. In re Merck & Co., Inc., 800 F.2d 1091, 231 U.S.P.Q. 375 (Fed. Cir. 1986). Third, the prior art reference(s) must teach or suggest all of the claim limitations. In re Royka, 490 F.2d 981, 180 U.S.P.Q. 580 (C.C.P.A. 1974).

Claim 6 has been amended to include the features of dependent claim 9. Since the Office Action acknowledges that the combination of Hasegawa and RFC 791 does not disclose or suggest each of the features of claim 9, it is submitted that the applied combination does not render obvious amended claim 6 or its dependent claim 7.

Withdrawal of the obviousness rejection of claims 6 and 7 is accordingly respectfully requested.

IV. Rejection of Claims 8-11 Under 35 U.S.C. § 103(a)

Claims 8-11 have been rejected under 35 U.S.C. 103(a) as unpatentable over U.S. Hasegawa in view of RFC 791 and further in view of U.S. Patent No. 4,594,571 to Neuhaus et al. ("Neuhaus"). Claim 9 has been canceled, without prejudice, and claims 8, 10 and 11 have been amended to depend from claim 6. Applicants respectfully submit that the applied references do not render obvious the subject matter of claims 8, 10 and 11 for the following reasons.

Independent claim 6, as amended, recites a controller for a plurality of electric loads of a motor vehicle that includes, *inter alia*, a central computer and a plurality of local computers that correspond to and are configured to control a respective electric load, each local computer being connected to the central computer via the databus and being configured to exchange control data according to an Internet protocol via the databus, **wherein each local computer includes a server program for the data exchange and wherein the central computer includes a browser program.**

In paragraph 5 of the Office Action, it is alleged that Hasegawa teaches a controller wherein each local computer includes a server program for the data exchange and wherein the central computer includes a browser program. However, it is submitted that Hasegawa does not disclose or suggest these features of claim 6. The sections of Hasegawa cited in the Office Action (col. 2, line 66 to col.3, line 5 and col. 3, line 45 to col. 4, line 15) in support of the rejection merely disclose that a system manager may load a program to the microprocessors of various individual component control devices. There is absolutely no teaching or suggestion that the control devices include a ***server program*** for the data exchange, or that the central

computer (system manager) includes ***a browser program***. In fact, the Hasegawa reference teaches away from the claimed invention in that the system manager of Hasegawa behaves like a server, since it provides information, while the individual component control devices behave more like clients since they receive information from the system manager. Therefore, the relationships of the devices disclosed in Hasegawa is unlike, and does not suggest, the claimed relationships. Moreover, as noted above, Hasegawa does not refer to a browser application at all, and in particular, there is absolutely no suggestion that the interface (7) of the system manager of Hasegawa constitutes an Internet browser as claimed. See Specification, page 4, line 32 ("Internet browser is run as an application program on central computer 11").

For at least these reasons, it is submitted that the applied references do not render obvious independent claim 6 or its dependent claims 8, 10 and 11. Withdrawal of the obviousness rejection of claims 8, 10 and 11 is therefore respectfully requested.

V. Conclusion

It is therefore respectfully submitted that all of the presently pending claims are allowable. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

Respectfully submitted,

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CUSTOMER NO. 26646

On-board network for motor vehicles

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EC Classification:	B60R16/02B4B
Equivalents:	☐ DE3730468, ☐ JP1070245

Abstract

The on-board network for motor vehicles contains a multiplex control for switching, controlling and monitoring electrical end devices such as switches, operating and indicating elements, sensors and actuators and consists of several bus interfaces (2) coupled to a common bus line (1). The network also includes control devices (4) associated in star configuration via signal lines with the bus interfaces and end devices associated with the control devices. The control devices (4) contain signal converters and a data processor as well as transmitters/receivers for exchanging data signals with the corresponding bus interface. The operation of the on-board network is accomplished in such a manner that the transmission of the data signals from one bus interface to the associated control devices is controlled by the bus interface and follows cyclically the respective control device in the sequence of the groups of inputs and outputs. The control devices can deliver here, for transmitting a critical signal value to the corresponding bus interface device at predetermined points of the transmission cycle, a signal which leads to the interruption of the transmission cycle.